



General Assembly

February Session, 2022

***Raised Bill No. 166***

LCO No. 1428



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING THE APPOINTMENT AND QUALIFICATION OF THE STATE BUILDING INSPECTOR, SUBMISSION OF CERTAIN DOCUMENTS TO THE STATE BUILDING INSPECTOR, INTERNET PUBLICATION OF THE LIST OF VARIANCES FROM THE STATE BUILDING CODE, THE PERIOD OF SERVICE OF AN ACTING BUILDING OFFICIAL, CERTAIN ACOUSTICAL STANDARDS AND PATH MARKING SYSTEMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-252 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 (a) The State Building Inspector and the Codes and Standards  
4 Committee shall, jointly, with the approval of the Commissioner of  
5 Administrative Services and in accordance with the provisions of  
6 section 29-252b, adopt and administer a State Building Code based on a  
7 nationally recognized model building code for the purpose of regulating  
8 the design, construction and use of buildings or structures to be erected  
9 and the alteration of buildings or structures already erected and make  
10 such amendments thereto as they, from time to time, deem necessary or  
11 desirable. Such amendments shall be limited to administrative matters,

12 geotechnical and weather-related portions of said code, amendments to  
 13 said code necessitated by a provision of the general statutes and any  
 14 other matter which, based on substantial evidence, necessitates an  
 15 amendment to said code. The code shall be revised as deemed necessary  
 16 to incorporate any subsequent revisions to the code not later than  
 17 eighteen months following the date of first publication of such  
 18 subsequent revisions to the code. The purpose of said Building Code  
 19 shall also include, but not be limited to, promoting and ensuring that  
 20 such buildings and structures are designed and constructed in such a  
 21 manner as to conserve energy and, wherever practicable, facilitate the  
 22 use of renewable energy resources, including provisions for electric  
 23 circuits capable of supporting electric vehicle charging in any newly  
 24 constructed residential garage in any code adopted after July 8, 2013.  
 25 Said Building Code includes any code, rule or regulation incorporated  
 26 therein by reference. As used in this subsection, "geotechnical" means  
 27 any geological condition, such as soil and subsurface soil condition,  
 28 which may affect the structural characteristics of a building or structure.

29 (b) The State Building Inspector shall be appointed by the [Governor.  
 30 He] Commissioner of Administrative Services. The State Building  
 31 Inspector shall be an architect, [or] professional engineer or building  
 32 official licensed by the state of Connecticut, shall have a thorough  
 33 knowledge of building code administration and enforcement and shall  
 34 have had not less than ten years practical experience in his or her  
 35 profession.

36 (c) The State Building Inspector or [his] the inspector's designee may  
 37 issue official interpretations of the State Building Code, including  
 38 interpretations of the applicability of any provision of the code, upon  
 39 the request of any person. The State Building Inspector shall compile  
 40 and index each interpretation and shall publish such interpretations at  
 41 periodic intervals not exceeding four months.

42 (d) The State Building Inspector or [his] the inspector's designee shall  
 43 review a decision by a local building official or a board of appeals  
 44 appointed pursuant to section 29-266 when [he] the inspector or

45 designee has reason to believe that such official or board has  
 46 misconstrued or misinterpreted any provision of the State Building  
 47 Code. If, upon review and after consultation with such official or board,  
 48 [he] the inspector or designee determines that a provision of the code  
 49 has been misconstrued or misinterpreted, [he] the inspector or designee  
 50 shall issue an interpretation of said code and may issue any order [he]  
 51 the inspector or designee deems appropriate. Any such determination  
 52 or order shall be in writing and be sent to such local building official or  
 53 board by registered mail, return receipt requested. Any person  
 54 aggrieved by any determination or order by the State Building Inspector  
 55 under this subsection may appeal to the Codes and Standards  
 56 Committee within fourteen days after mailing of the decision or order.  
 57 Any person aggrieved by any ruling of the Codes and Standards  
 58 Committee may appeal in accordance with the provisions of subsection  
 59 (d) of section 29-266.

60 Sec. 2. Subdivision (1) of subsection (b) of section 29-252a of the  
 61 general statutes is repealed and the following is substituted in lieu  
 62 thereof (*Effective July 1, 2022*):

63 (b) (1) No state or Connecticut Airport Authority building or  
 64 structure or addition to a state or Connecticut Airport Authority  
 65 building or structure: (A) That exceeds the threshold limits contained in  
 66 section 29-276b and requires an independent structural review under  
 67 said section, or (B) that includes residential occupancies for twenty-five  
 68 or more persons, shall be constructed until an application has been filed  
 69 by (i) the commissioner of an agency authorized to contract for the  
 70 construction of buildings under the provisions of section 4b-1 or 4b-51,  
 71 or (ii) the executive director of the Connecticut Airport Authority, with  
 72 the State Building Inspector and a building permit is issued by the State  
 73 Building Inspector. [Two copies of the plans] Plans and specifications  
 74 for the building, structure or addition to be constructed shall accompany  
 75 the application. The commissioner of any such agency or the executive  
 76 director of the Connecticut Airport Authority shall certify that such  
 77 plans and specifications are in substantial compliance with the  
 78 provisions of the State Building Code and, where applicable, with the

79 provisions of the Fire Safety Code. The State Building Inspector shall  
80 review the plans and specifications for the building, structure or  
81 addition to be constructed to verify their compliance with the  
82 requirements of the State Building Code and, not later than thirty days  
83 after the date of application, shall issue or refuse to issue the building  
84 permit, in whole or in part. The State Building Inspector may request  
85 that the State Fire Marshal review such plans to verify their compliance  
86 with the Fire Safety Code.

87 Sec. 3. Section 29-254b of the general statutes is repealed and the  
88 following is substituted in lieu thereof (*Effective July 1, 2022*):

89 Not later than January 1, 2003, the State Building Inspector and the  
90 Codes and Standards Committee, in conjunction with the  
91 Commissioner of Administrative Services, shall create a list of variations  
92 or exemptions from, or equivalent or alternate compliance with, the  
93 State Building Code granted relative to existing buildings in the last two  
94 calendar years and shall update such list biennially. Not later than April  
95 1, 2003, the Commissioner of Administrative Services shall, within  
96 available appropriations, (1) [send such list to all local building officials,  
97 (2) take appropriate actions to publicize such list] publish such list on  
98 the Internet web site of the Department of Administrative Services, and  
99 [(3)] (2) educate local building officials and the public on how to use the  
100 list.

101 Sec. 4. Section 29-260 of the general statutes is repealed and the  
102 following is substituted in lieu thereof (*Effective July 1, 2022*):

103 (a) The chief executive officer of any town, city or borough, unless  
104 other means are already provided, shall appoint an officer to administer  
105 the code for a term of four years and until [his] a successor qualifies and  
106 quadrennially thereafter shall so appoint a successor. Such officer shall  
107 be known as the building official. Two or more communities may  
108 combine in the appointment of a building official for the purpose of  
109 enforcing the provisions of the code in the same manner. The chief  
110 executive officer of any town, city or borough, upon the death,

111 disability, dismissal, retirement or revocation of licensure of the  
 112 building official, may appoint a licensed building official as the acting  
 113 building official for a [single] period not to exceed one hundred eighty  
 114 days, with an option to extend such appointment for an additional one-  
 115 hundred-eighty-day period or until a permanent successor building  
 116 official is appointed, whichever is earlier.

117 (b) Unless otherwise provided by ordinance, charter or special act, a  
 118 local building official who fails to perform the duties of [his] the office  
 119 may be dismissed by the local appointing authority and another person  
 120 shall be appointed in [his] the official's place, provided, prior to such  
 121 dismissal, such local building official shall be given an opportunity to  
 122 be heard in [his] the official's own defense at a public hearing in  
 123 accordance with subsection (c) of this section.

124 (c) No local building official may be dismissed under subsection (b)  
 125 of this section unless [he] the official has been given notice in writing of  
 126 the specific grounds for such dismissal and an opportunity to be heard  
 127 in [his] the official's own defense, personally or by counsel, at a public  
 128 hearing before the authority having the power of dismissal. Such public  
 129 hearing shall be held not less than five or more than ten days after such  
 130 notice. Any person so dismissed may appeal within thirty days  
 131 following such dismissal to the superior court for the judicial district in  
 132 which such town, city or borough is located. Service shall be made as in  
 133 civil process. The court shall review the record of such hearing and if it  
 134 appears that testimony is necessary for an equitable disposition of the  
 135 appeal, it may take evidence or appoint a referee or a committee to take  
 136 such evidence as the court may direct and report the same to the court  
 137 with [his or its] the referee's or committee's findings of fact, which report  
 138 shall constitute a part of the proceedings upon which the determination  
 139 of the court shall be made. The court may affirm the action of such  
 140 authority or may set the same aside if it finds that such authority acted  
 141 illegally or abused its discretion.

142 (d) Each municipality shall become a member of the International  
 143 Code Council and shall pay the membership fee.

144 Sec. 5. Sections 10-285g and 29-256d of the general statutes are  
145 repealed. (*Effective July 1, 2022*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2022</i>	29-252
Sec. 2	<i>July 1, 2022</i>	29-252a(b)(1)
Sec. 3	<i>July 1, 2022</i>	29-254b
Sec. 4	<i>July 1, 2022</i>	29-260
Sec. 5	<i>July 1, 2022</i>	Repealer section

***Statement of Purpose:***

To allow the Commissioner of Administrative Services to appoint the State Building Inspector and expand the qualifications for the position; eliminate the requirement for submission of two copies of certain plans and specifications to the State Building Inspector; replace requirements for distribution of a list of variances and similar exemptions from the State Building Code with Internet publication of the list; extend the time period that an acting building official may serve in that role; repeal provisions regarding certain acoustical standards in schools and path marking systems; and make technical changes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*